



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

August 13, 2010

To: Supervisor Gloria Molina, Chair
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

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ZEV YAROSLAVSKY
Third District

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Fifth District

HAULED WATER REPORT - PUBLIC INPUT AT COMMUNITY OUTREACH MEETINGS

On November 3, 2009, on motion by Supervisor Antonovich, your Board directed the Chief Executive Officer (CEO) to: work with the Hauled Water Task Force (Task Force) to prepare a public presentation concerning the findings contained in the September 17, 2009, "Report on the Feasibility of Using Hauled Water for New Residential Construction in Select Areas of the County;" engage the Hauled Water Task Force to conduct a series of community outreach meetings regarding this report, starting in early 2010; ensure that this public outreach consists of three duly-noticed public meetings in Acton, Agua Dulce, and Juniper Hills, as well as a fourth meeting before a regular meeting of the Association of Rural Town Councils; and within 30 days of the last community meeting, submit to the Board a written report outlining the public input on this matter.

The last of the community outreach meetings was convened on June 15, 2010, and this serves as the written report back to your Board.

BACKGROUND

On September 17, 2009, your Board was provided with a report on the feasibility of using hauled water for new residential construction in select areas of the County, as directed by your Board on July 22, 2003. The report addressed several areas in considering this change to the County's current policy including: Public Health Considerations on Water Availability; County Review of Hauled Water Policy; Key Components of a Potential Hauled Water Program; Risk Analysis of the Use of Hauled Water; Estimated Cost to Obtain Permit for Hauled Water; and Next Steps. The report was prepared by the Task Force, which includes the Department of Public Health (DPH), Regional Planning (Planning), Department of Public Works (DPW), Fire Department (Fire), County Counsel, and the CEO.

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The Next Steps identified by the Task Force in the September 17, 2009 report included your Board directing County Counsel to amend Los Angeles County Code, Title 11, and to identify funding for an environmental impact report (EIR), if necessary. A consultant would be retained to prepare the EIR, at an estimated cost of \$500,000, and the timeline to complete is estimated at 18 to 24 months.

As directed in your Board's November 3, 2009 motion, the CEO convened meetings with the Task Force members to engage them in developing a community outreach plan. The Task Force utilized the September 17, 2009 report as the information source and developed a briefing packet (Attachment I). The outreach effort also provided for an open discussion to encourage dialogue with the attendees at the community meetings.

SUMMARY AND NEXT STEPS

Based on the public's large cumulative attendance at the three community outreach meetings, the attendees' active participation during the discussion, and the many questions posed to the Task Force during the three community outreach meetings, it is evident that a majority of the current and prospective residents of Juniper Hills, Acton, and the other unincorporated communities in the north county support the use of hauled water, which would require a change to the ordinance.

During the community outreach meetings, the Task Force committed to allowing members of the public to submit additional questions and/or comments outside of the meeting format and to provide, in writing, responses to each of the questions and/or comments received. The Task Force is currently in the process of completing this response document and expects to provide the document to the meeting participants within the next 60 days, at which time a follow-up report will be provided to your Board that briefly summarizes any additional questions and/or comments received during the open comment period. Upon receipt of this final report, your Board may then choose to proceed with the next steps identified in the September 17, 2009 report.

COMMUNITY OUTREACH MEETINGS

In an effort to ensure overall effectiveness of the community outreach meetings, the Task Force emphasized stakeholder participation and obtained input on all aspects of the presentation, including agenda, format, community contacts, and suggested meeting locations. The Fifth District was also contacted as all meetings were held within the District. Additionally, the Task Force met with several town council presidents and other key community leaders to discuss the presentation and content of the meetings. The meetings were held at the following locations on the noted dates:

Date	Location	Attendees*
Wednesday, June 2, 2010	Juniper Hills Community Center, Juniper Hills, CA 93543	100
Thursday, June 10, 2010	Fire Station 129, Lancaster, CA 93534	20
Tuesday, June 15, 2010	High Desert Junior High School, Acton, CA 93510	200

*Approximate number of attendees.

PUBLIC INPUT

Each of the three community meetings were well attended, with the final meeting in Acton hosting the largest turnout. In every instance, the hosting community and those in attendance contributed to an active and informative discussion surrounding the use of hauled water. As a result of the breadth of information exchanged during these meetings and requests from the attendees, the Task Force agreed to prepare a "Summary Input Report." The report will memorialize the meeting discussions and will be shared with the attendees to ensure their questions, comments, and concerns were fully and accurately addressed by the Task Force.

DPH assumed lead responsibility at the outreach meetings and Task Force members also contributed responses to the various questions, comments, and concerns.

As requested by your Board, attached is an outline of the public input received that provides an example of the questions that were posed to the Task Force (Attachment II).

Summary Input Report

As previously noted, the Task Force will prepare the Summary Input Report (SIR) to document the community input. The SIR is underway and the Task Force expects to provide it to the attendees within the next 30 days. Attendees will have approximately 14 days to review the draft SIR and provide input. The Task Force will consider the input and finalize the document approximately 14 days from when the input is received, at which time public comment will be closed. Additionally, as part of the continued outreach efforts, the Task Force agreed to keep the attendees apprised of the County's efforts by providing copies of future Board reports that includes revisions or recommendations related to the County's policy on the use of hauled water.

The SIR will also address changes in State law regarding sprinkler systems and well production requirements, two major issues raised by the community attendees.

Sprinkler Systems - effective January 2011, State law will require interior fire sprinkler systems in all new one- and two-family and town home construction. The Task Force is reviewing this issue to determine the impact, if any, that the new State law would have on the County's proposed hauled water policy.

It should be noted that interior sprinkler systems are currently required in single-family residences in the Malibu/Santa Monica Mountains and the south face of the San Gabriel Mountains. The Los Angeles County Fire Code deems the noted areas as Very High Fire Hazard Severity Zones (High Severity Zones), and sprinkler systems were required due to the remoteness and limited accessibility. The new State law will not impact High Severity Zones.

The use of hauled water is currently prohibited in High Severity Zones and this requirement will remain in place after January 2011. Should your Board select to move forward with allowing the use of hauled water for residents in Juniper Hills, Acton, and other unincorporated areas in the north County, new construction that is built after January 2011 will require an interior fire sprinkler system; however, unlike High Severity Zones, hauled water may be used as the water supply for sprinkler systems.

Well Production - Based on public input, the Task Force is also reviewing the County's well production requirement of three gallons per minute to determine if the yield could be lowered if compensated by additional storage capacity. If it is determined that the current required well yield could be lowered, this may possibly decrease the need for/use of hauled water.

NEXT STEPS

As identified above, the Task Force is currently in the process of completing the SIR and expects to have it finalized and provided to the meeting participants within the next 60 days, at which time a final report will be provided to your Board that briefly summarizes any additional questions and/or comments received during the open comment period.

If you have any questions or need additional information, you may contact me or your staff may contact Sheila Shima, Deputy Chief Executive Officer, at (213) 974-1160 or sshima@ceo.lacounty.gov.

WTF:BC:SAS
MLM:RFM:gl

Attachments

c: Executive Officer, Board of Supervisors
 County Counsel
 Fire
 Public Health
 Public Works
 Regional Planning

Potential Use of "*Hauled Water*" for Future Residential Development in Los Angeles County

Los Angeles County "*Hauled Water*" Task Force

June, 2010



Why is the County considering the use of “Hauled Water” for proposed residential development?

Some “legal (undeveloped) lots” cannot be developed due to lack of an “approved water source”:

- properties outside the service area of a public or private water system, or
- properties where geologic conditions preclude the use of an onsite water well.

Pursuant to a motion by Supervisor Antonovich, the Los Angeles County Board of Supervisors requested a review of the County’s policy which prohibits the use of hauled water as an approved source of potable water for new development.

Currently, a property owner achieves “water source approval” in order to obtain a building permit by:

- Obtaining a “*will serve letter*” from approved public water agency or private water company indicating water service will be provided to the property; or
- Obtaining an “onsite well water approval” from Department of Public Health.

Hauled water is not currently an approved
source of water for new development.

Why isn't "hailed water" an "approved source of water" for new development?

County Code requires the Health Officer to determine that a proposed drinking water supply is adequate, sustainable, and meets drinking water standards.

Under current requirements, this determination cannot be made for "hailed water" because of:

- Uncertainties in the quality and sustainability of source water; and
- Potential for contamination during pickup, transportation, delivery and onsite storage.

Fact: Hauled water is the only option for some existing homeowners

It is often the only source of water following an emergency or when onsite wells go dry. In these situations, homeowners are advised to:

1. Use a State-licensed water hauler, and verify water is coming from a permitted source.
2. Utilize a storage tank and disinfection device approved by the County.
3. Ensure proper system operation and maintenance.

The County is not proposing any retroactive application of new requirements for existing homeowners who are currently using hauled water.

The County is considering whether hauled water should be an approved source of water for new development

What would such a decision mean?

- Some property owners could obtain building permits for properties currently precluded from development.
- This decision could potentially enable new development of up to a maximum 36,000 single family existing legal residential lots.

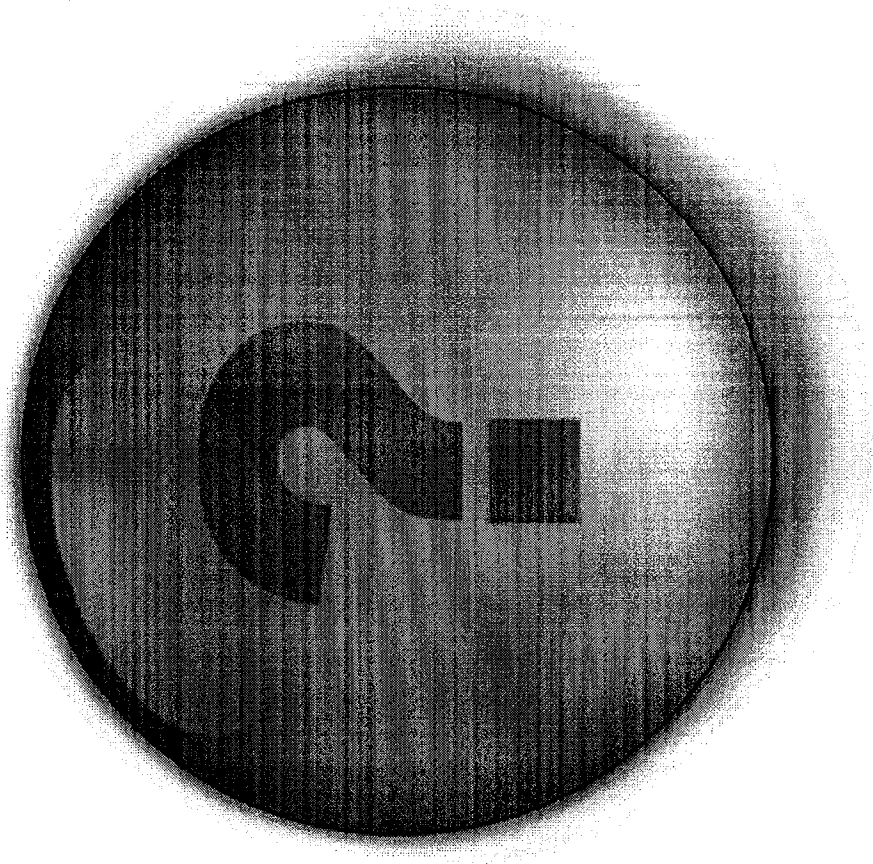
Situations under which “hauled water” may be considered for new development:

- on “existing legal lots” ,
- when no other source of water is available, and
- subject to “specified conditions.”

What are the "Specified Conditions" ?

1. Property owner contracts with State-licensed water hauler, and uses storage tank and disinfection system approved by the County.
2. Covenant is recorded to ensure current/future owners are aware of requirements for continued safe use.

Comments and Discussion



Outline of Community Meetings and Examples of Questions Posed by Meeting Attendees

Juniper Hills

The first community outreach meeting was held at the Juniper Hills Community Center and while progress towards resolution on this matter was acknowledged by some of the attendees, the main issue was how and when will the County resolve this issue, when will residents be able to initiate usage of hauled water, and what are the minimum requirements to be able to use hauled water.

In addition, the Juniper Hills community raised the following issues/observations.

1. Will a disinfection device for the water storage tank require approval by the National Sanitation Foundation (NSF) or will the device simply need to meet NSF standards.
2. What impact, if any, the new State law requiring sprinkler systems in all new one- and two family and town-home construction will have on a revised County hauled water policy should the Board select to change it.

The perceived correlation is that if the County does not allow the use of hauled water in areas where interior fire sprinklers are required, and in January 2011 interior fire sprinklers will be required throughout the County, then hauled water will not be allowed anywhere. This is further discussed in the Summary Input Report section noted below and will be addressed in the SIR when issued.

3. Why does the County allow hauled water to be used in certain situations (i.e., where wells have gone dry), but does not allow hauled water as a source of water for new construction.
4. Will the County accept alternative water detection methods such as sonar testing, in order to demonstrate the absence of an on-site water source, instead of the conventional method of drilling a well.
5. Will an EIR be necessary prior to the implementation of a revised hauled water policy.

Although the September 17, report discussed the preparation of an EIR, an environmental review pursuant to the California Environmental Quality Act (CEQA) would need to be conducted in order to determine the appropriate environmental document for such a policy.

6. In general, the attendees expressed that regardless of the policy that was established, residents with adequate wells will be approached by residents in need of water. Residents also noted that the need/usage of hauled water will diminish if the County lowered the established well production measurement from the current three gallons per minute requirement.

Lancaster

The second community outreach meeting was held at Fire Station 129 and attendees generally raised the same issues discussed at the Juniper Hills Meeting. In addition, the Lancaster community raised the following issues/observations.

1. How is the current effort different from the previous efforts made by the County to resolve the hauled water issue.
2. What information does the County have regarding drilling costs.
3. How will the revised policy impact existing hauled water users if their properties are damaged or destroyed in a natural disaster.
4. Why does the County first require property owners to attempt to identify water availability on their property and incur the cost to do so when their neighbors have already been unsuccessful in identifying available water. In fact, why is drilling necessary at all; property owners should be allowed to agree to meet the proposed minimum requirements and begin to use hauled water.
5. Does the County maintain and provide a list of certified/approved water haulers.

Acton

The third community outreach meeting was held at Acton and attendees generally raised similar issues as in the previous meetings. In addition, the Acton community raised the following issues/observations.

1. With the potential availability of hauled water as an authorized source of water, what impact will this have on individuals who have low-yielding wells; will they be able to supplement their well water supply with hauled water.
2. What legal authority does the County have to regulate the use of hauled water.